

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
: **Case No.: 21-11337**
Vanessa R. Putman FKA Vanessa R : **Chapter 13**
Scott : **Judge Eric L. Frank**
: * * * * *

Debtor(s)

:
Deutsche Bank National Trust : **Date and Time of Hearing**
Company, as Trustee on behalf of HSI :
Asset Securitization Corporation Trust : **August 17, 2021 at 09:30 a.m.**
2006-HE1 :

Movant,

vs

:
:
:
Vanessa R. Putman FKA Vanessa R :
Scott
Ronald Putman

William C. Miller, Esq.

Respondents.

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY
TO PERMIT DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE ON
BEHALF OF HSI ASSET SECURITIZATION CORPORATION TRUST 2006-HE1 TO
FORECLOSE ON 6919 WAXWING PL, PHILADELPHIA, PA 19142-2513**

Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 (the "Creditor") moves this Court, under Bankruptcy Code §§ 361, 362, 363, 1301, and other sections of Title 11 of the United States Code, and under Federal Rules of Bankruptcy Procedure 4001 and 6007 for an order conditioning, modifying, or dissolving the automatic stay imposed by Bankruptcy Code § 362, and the Co-Debtor Stay imposed by Bankruptcy Code § 1301, and avers as follows:

1. This is an action arising pursuant to a case under Title 11 of the United States Code.

2. Creditor is a lending institution duly authorized to conduct business in the Commonwealth of Pennsylvania.

3. Creditor is a party-in-interest in the above referenced Bankruptcy matter as it is a secured creditor of the Debtor.

4. Vanessa R. Putman FKA Vanessa R Scott ("Debtor") filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on May 11, 2021, ("Petition").

5. Debtor and Ronald Putman ("Co-Debtor") are currently obligated to Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1, under the terms of a certain Adjustable Rate Note, dated July 7, 2006, in the original principal amount of \$142,500.00 executed by Debtor and Co-Debtor (hereinafter "Note").

6. As security for repayment of the Note, Debtor and Co-Debtor executed a certain Mortgage, dated of even date and of even amount, currently in favor of Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1, with respect to certain real property owned by the Debtor and Co-Debtor located at 6919 Waxwing Pl, Philadelphia, PA 19142-2513 (hereinafter "Mortgaged Premises") and being recorded in Philadelphia County Recordings Office at Instrument Number 51486265 on July 17, 2006 in the Office of the Recorder of Deeds in and for Philadelphia County, Pennsylvania ("Mortgage").

7. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.

8. Debtor has failed to make post-petition mortgage payments for the past 2 months, as of July 20, 2021.

9. Due to said failure by Debtor and Co-Debtor to make payments when due, Creditor lacks adequate protection of its security interest in the Mortgaged Premises.

10. The total loan balance and the amount past due to Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 in post-petition arrearages are \$136,736.34 and \$1,800.28, respectively, as of July 20, 2021.

11. Pursuant to Schedule C, the Debtor has a claimed exemption of \$16,000 on the Mortgage Premises.

12. Pursuant to Schedule D, the Debtor has no additional liens on the Mortgage Premises.

13. The automatic stay of Section 362 of the Bankruptcy Code should be terminated with respect to the interest of Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 in the Mortgaged Premises, pursuant to Section 362(d)(1).

14. The Co-Debtor Stay of Section 1301 of the Bankruptcy Code should be terminated with respect to the interest of Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 in the Mortgaged Premises, pursuant to Section 1301(c).

WHEREFORE, Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 respectfully requests this Honorable Court to enter an order terminating the Automatic Stay and Co-Debtor Stay as they affect the interest of Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 in the Mortgaged Premises of the Debtor specifically identified in the Mortgage, and granting such other relief as this Honorable Court may deem just.

Respectfully submitted,

/s/ Sarah E. Barngrover

Sarah E. Barngrover, Esquire (323972)

Adam B. Hall (323867)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

Telephone: 614-220-5611

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Attorneys for Creditor

The case attorney for this file is Sarah E. Barngrover.

Contact email is

sebarngrover@manleydeas.com

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 21-11337
Vanessa R. Putman FKA Vanessa R Scott	:	Chapter 13
	:	Judge Eric L. Frank
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Debtor(s)

Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1	:	Date and Time of Hearing
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	:	August 17, 2021 at 09:30 a.m.
	:	

Movant,

vs

**Vanessa R. Putman FKA Vanessa R Scott
Ronald Putman**

William C. Miller, Esq.

Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion for Relief from the Automatic Stay and Co-Debtor Stay to permit Deutsche Bank National Trust Company, as Trustee on behalf of HSI Asset Securitization Corporation Trust 2006-HE1 to foreclose on 6919 Waxwing Pl, Philadelphia, PA 19142-2513 was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

William C. Miller, Esq., Chapter 13 Trustee, P.O. Box 1229, Philadelphia, PA 19105, ecfemails@ph13trustee.com

Brad J. Sadek, Attorney for Vanessa R. Putman FKA Vanessa R Scott, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on
July 27, 2021:

Vanessa R. Putman FKA Vanessa R Scott, 6919 Waxwing Place, Philadelphia, PA 19142

Vanessa R. Putman FKA Vanessa R Scott and Ronald Putman, 6919 Waxwing Pl,
Philadelphia, PA 19142-2513

DATE: July 27, 2021

/s/ Sarah E. Barngrover

Sarah E. Barngrover, Esquire (323972)

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